

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EDWARD VAN HORN,

Plaintiff,

CIVIL ACTION NO. 12-11880

v.

DISTRICT JUDGE GEORGE CARAM STEEH

JAMES S. WALTON,
C. GOMEZ,
FEDERAL BUREAU OF PRISONS,
BARDSLY,

MAGISTRATE JUDGE MARK A. RANDON

Defendants.

_____ /

ORDER DENYING AS MOOT PLAINTIFF'S
MOTION FOR JURY TRIAL

On September 4, 2012, Plaintiff filed a Motion for Jury Trial pursuant to Fed. R. Civ. P.

38. (Dkt. No. 29). Rule 38(b) says:

Demand. On any issue triable of right by a jury, a party may demand a jury trial by:

- (1) serving the other parties with a written demand - which may be included in a pleading - no later than 14 days after the last pleading directed to the issue is served; and
- (2) filing the demand in accordance with Rule 5(d).

Plaintiff filed his Complaint on April 26, 2012. (Dkt. No. 1). His Complaint included a jury

demand in compliance with Rule 38. Accordingly, Plaintiff's Motion is **DENIED AS MOOT**.

IT IS ORDERED.

s/Mark A. Randon

Mark A. Randon

United States Magistrate Judge

Dated: November 30, 2012

Certificate of Service

I hereby certify that a copy of the foregoing document was mailed to the parties of record on this date, November 30, 2012, by electronic and/or ordinary mail.

s/Melody Miles

Case Manager